

STOCK YARDS FIRE AND ITS AFTERMATH

**Assets of the Company
Approach Amount
of Capital.**

THE DIRECTORS WILL MEET TODAY

**LOSS MORE THAN ONE HUNDRED
THOUSAND DOLLARS NOT
HALF INSURED.**

**List of Horses and Vehicles That Pa-
trons Lost—Many Hackmen Suffer
—Clearing Up Ruins—Further In-
cidents of the Disaster.**

Of course the chief topic of public interest yesterday was the burning of the Honolulu Stock Yards Company's buildings, with the destruction of much valuable property contained therein, between two and three o'clock that morning.

So far as the facts in general are concerned, the report printed in The Republican yesterday morning was not only very comprehensive, but in its details accurate to a degree requiring but little revision. The estimated loss then stated agrees with the figure given at the company's headquarters late in the afternoon, but it would appear that the insurance is little more than half the amount given out while the fire was burning.

No time was lost by the company in obtaining temporary office quarters, a store in the Wright block, adjacent, having been taken for this purpose. Here L. de L. Ward, treasurer of the company, with a staff of clerks was engaged all day arranging data for submission to the board of directors and the underwriters. At the same time work was prosecuted vigorously in clearing up the ruins. The most important task, at the outset, was the removal of the charred carcasses of horses that, under the influence of the sun and the reeking fumes of fire-scorched and water-sodden fodder, speedily began to develop the elements of a nuisance menacing to public health.

About the Company.

The Honolulu Stock Yards Company maintained in the buildings that have been burned a complete livery stable outfit with feed supplies, a carriage manufacturing and paint shop, a harness-making shop with complete harness store, a horse-shoeing shop and boarding and sales stables. Between 20 to 30 hacks, with two or three horses each, had their resting place at the establishment. There was a good deal of machinery in the workshops, including a power hoist. In the rear of the South street wing was a series of corrals stoutly fenced.

The company was organized in 1899 with a capital of \$100,000, most of which was early subscribed. W. H. Rice, the well-known stockman of Lihue, Kauai, owns a majority of the stock. As to the minority of shares, they are very much scattered. Starting operations the latter part of 1899 the company has done a flourishing business and was doing splendidly when overtaken by this catastrophe. It is learned that it was the intention of the company to consider the payment of a dividend at its annual meeting due on September 30 next.

The company's officers are: W. H. Rice, president; A. B. Wood, vice president; J. F. Morgan, secretary; L. de L. Ward, treasurer, and W. S. Withers, F. W. Macfarlane and Henry Waterhouse, directors. Mr. Withers is the manager and has conducted the affairs of the company from the start. At present he is absent on the mainland and G. A. Rice, son of the president, is acting in his stead. Mr. Morgan, the secretary, is also absent from the Territory.

A meeting of the directors will be held today when some definite plan of action for the future will be determined. At headquarters it is hoped that the assets of the company will come up to within, say, \$20,000 of the capital stock of \$100,000, although a definite statement on this score could not be made by Treasurer Ward yesterday afternoon. He declined to venture on specific details of the company's condition because a complete adjustment has been impossible in the time elapsed since the fire, and furthermore in view of the meeting of directors today for determining upon a policy.

Loss and Insurance.

Mr. Ward estimates that the gross amount of loss by the fire is considerably more than \$100,000. The company had insurance of about \$35,000, divided as follows: German American

Insurance Co., \$5500; Royal Insurance Co., \$5300; Union Assurance Society, \$5000; Commercial Union Assurance Co., \$2500; Liverpool, London and Globe, \$2000; Greenwich Insurance Co. of New York, \$2000; Imperial Insurance Co., \$2000; Caledonian Insurance Co., \$2000; Northern Assurance Co., \$2000; Niagara Fire Insurance Co., \$2000; German Alliance Assurance Co., \$2000; Norwich Union, \$1000; Scottish Union and National Insurance Co., \$700.

The buildings are practically a total loss. There is absolutely nothing left of the South street wing but embers. The front of the King street wing and some of the stores therein were maintained almost intact by the gallant efforts of the firemen, but the rear parts of this wing were pretty thoroughly ruined. Much of the loss on this building will fall upon the contractor, M. L. Smith, as he had received only part payment on account and the company had not yet taken the structure off his hands.

A fine stock of new vehicles, including fancy rubber-tired buggies, had just been set up and was being painted, with a view to increasing the facilities for handling the livery trade.

Outside Losers.

Of the score or more of public hacks, with their two or three horses each, kept on the premises for the owners, it has not yet been ascertained how many were saved. One hackman named Pierce had only paid for horse and carriage on Monday last. Tom Carey, the well-known Union soldier of the sixties, lost his hack-driving outfit—the source of sustenance for a family of thirteen. Several hacks of the Union street livery were burned up. Spencer, Frank Lillis, Hugh Rooney and several Oriental hackmen are among the losers. Five hackmen of No. 191 street are fortunate in having removed their outfits from the Stockyards to James Brown's new stables in Hotel street.

Other losers were as follows. Pacific Hardware Co., 2 horses and express wagons; J. F. Morgan, 2 horses and wagons; Bergstrom Music Co., horse and delivery wagon; L. de L. Ward, C. R. Rice, C. G. Ballentyne, C. P. Grimwood, Dr. E. C. Waterhouse, S. M. Ballou, E. B. McClanahan and Mrs. C. S. Holloway, each a driving horse and carriage; Lewis & Co., 2 horses and delivery wagons—horses afterward found safe at Lewers & Cooke's lumber yard at Kewalo; Wing Lung, lost horse, wagon saved; Love's Bakery, lost horse, wagon saved; Singer's Bakery, lost wagon in repair shop; McCabe, Hamilton & Renny, a valuable team, and Captain Renny, his private driving rig; Pacific Vehicle Co., lost horse, wagon saved.

On South street the poles and conductors of the Rapid Transit Co., the Mutual Telephone Co. and the Hawaiian frontage of the burned building. The firemen by most strenuous efforts succeeded in saving the electric equipments along King street, although some wires had to be severed for safety from live wires. Before dark last night the telephone repairers had the King street line, leading to Waikiki, restored to working order.

The Poor Horses.

Joseph Silva, the night foreman, a boy and five Chinese were on watch. It was about 1:30 o'clock when one of the Chinese saw the reflection of fire in the hayloft over the box stalls. He notified Silva, who in turn ordered all hands to get the horses out. Silva managed himself to turn loose 30 animals. The Chinamen did the best they knew how, but before long the horses became too furious to handle. Some of the poor brutes after being led out of the stalls turned and dashed madly back into the midst of the flames.

Attempts to deliver the horses in the corrals from there were for the most part futile. The fences and locked gates were too strong to be broken down with manual strength. Besides the heat, which was singeing and scorching the animals, drove men back. Before the horses succumbed their cries of pain were horrible to hear, while they became so frantic that it was as much as a man's life was worth to approach them. One horse after being released was driven away twice only to return again and fall a prey to the burning.

A force was out yesterday rounding up the stray horses. Up till evening 12 or 15 had been recovered. Four were so badly burned, however, that on the advice of Dr. J. R. Shaw they were shot. These were in addition to a couple killed while the fire was still burning to put them out of misery, one being Dr. Waterhouse's driving animal.

More Bicycle Stealing.

Two bicycles were stolen last night. One was taken from the entrance to Murphy hall in Bethel street, the owner being John Richardson, who worked for E. O. Hall & Son up till the fire. The other wheel was stolen from the vicinity of the postoffice.

The Hager cure case proceeded before Judge Gear yesterday afternoon. Defendants argued a motion for non-suit and much more interesting testimony was brought out on the treatment of drunks. The case will be resumed today.

HIS CONVICTION WAS UNCONSTITUTIONAL

**Judge Gear Releases
Another Illegally
Tried Man.**

THE REGULATION DOLE APPEAL

**CASE PROCEEDINGS WORD
FOR WORD.**

**Liberated Man Rearrested On Charge
of Rape—Dole Says Trials Were
Constitutional—Several Grand Jury
Indictments Returned.**

Judge Gear yesterday morning released Ah Quong, another man illegally convicted of crime and incarcerated during Hawaii's "transition period," on a writ of habeas corpus applied for by Attorney F. M. Brooks. The writ was asked for on the same grounds as in the other recent habeas corpus cases. Judge Gear allowed the writ stating his reasons in about the same language as in former cases. The liberated man was rearrested on a charge of rape, the original charge, as soon as he got outside of the Judiciary building.

The proceedings in the matter yesterday morning were as follows: The Court—In the matter of Ah Quong.

Brooks—The petitioner is ready. The petition sets forth the facts and I do not presume they are disputed.

Attorney General Dole—I tried the case myself, if Your Honor please.

The Court—Is that any reason why judgment should not be rendered now?

Dole—No Your Honor, not that I know of. I have asked all I feel is right.

The Court—I don't know why you should say you tried the case yourself. I supposed that was a reason for not rendering a decision at this time.

Dole—Counsel asked if the facts were disputed and I said I had tried the case myself and knew the facts.

The Court—Oh, yes, is the defendant in court? I wonder if it is possible that I have in any of these cases misstated the Newlands Resolution. Where is a copy of it?

Brooks—I think a copy of it is in the reports, if the Court please.

The Court—(Reads.) "Joint Resolution to provide for annexing the Hawaiian Islands to the United States."

"Whereas, the Government of the Republic of Hawaii having, in due form signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States absolute fee and ownership of all public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the Hawaiian Islands, together with every right and appurtenance thereunto appertaining; Therefore,

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the Territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America."

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition; provided, that all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

"The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing

treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine."

By the Court—Were these words, "nor contrary to the Constitution of the United States" in there at the time the resolution passed?

Dole—Certainly, Your Honor, and we claim the trial was not contrary to the Constitution of the United States.

The Court—Oh, is that it? I understood it was not a question of the Constitution of the United States being before the Court at all.

Dole—If the first ten amendments of the Constitution were not extended to the Territory at that time the trial was not contrary to the United States Constitution.

The Court—Then why were those words put in this resolution, wherein they say, "Laws not contrary to the Constitution"? Does that mean laws contrary and not contrary to the Constitution of the United States?

Dole—No, I don't think so. The Court has formed its opinion and I have formed my opinion in this matter.

The Court—It seems to me to be a very clear proposition.

Dole—I think the very first thing would be for any lawyer to read the Newlands Resolution and the matter will be studied in the beginning.

The Court—Yes; and I thought I had studied it. By the clause, "laws not contrary to the Constitution of the United States," I think Congress meant something. I don't think they meant laws not contrary to the Constitution of the United States and contrary to the Constitution of the United States.

The Court—Under the terms of the Newlands resolution Congress meant, by the expression "all laws not contrary to the Constitution" that all laws contrary thereto were abrogated and annulled, and that being true, then no court in this Territory was entitled to present an indictment. That indictment must have been presented by a Grand Jury, and you, Ah Quong, not having been indicted by a Grand Jury, there was no valid presentment to which you could plead, and that being so, it devolves on this Court as a duty without a question, the Legislature having made it the duty of this Court to grant writs of habeas corpus—that is true, is it not, Mr. Attorney General?

Dole—I am not laying down the law, if the Court please.

The Court—I wanted to find out just how far the Attorney General agreed with me in these matters. The law makes it the duty of the Circuit Court to issue writs of habeas corpus, and I order that the writ of habeas corpus issue in this case and the defendant be discharged from imprisonment under the sentence; he not having been indicted by a grand jury, the sentence was absolutely null and void and the defendant cannot be held under it. From what has been said—so much having been said—sometimes have thought the Court might not be right, and that is the reason I read the resolution this morning. It is well to be sure.

Dole—I think on a question where the ablest lawyers of the United States differ in their opinions.

The Court—There is absolutely no difference of opinion. I ask the Attorney General what ablest lawyers have differed on this question.

Dole—I will begin at home and say, our own Supreme Court.

The Court—You said that decision was wrong, did you not?

Dole—I said perhaps I did not entirely agree with the reasoning of the Court, I believe.

The Court—Let me ask you one question. Didn't our Supreme Court in one case decide that the Newlands Resolution abrogated and annulled any laws contrary to the Constitution of the United States?

Dole—if the Court please, I am not arguing whether or not they did. I claim, if the Court please, this conviction was not contrary to the Constitution of the United States.

The Court—You made the statement that the ablest lawyers differed on the question and I say now the ablest lawyers of the United States differ in their opinions. The Court—There is absolutely no difference of opinion. I ask the Attorney General what ablest lawyers have differed on this question.

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BRANDED SLANDER BUREAU AT WORK

Under the heading "Slander Bureau at Work," the Advertiser of yesterday morning contained a front page cartoon of Judge Humphreys representing the Judge sitting at a desk penning these words:

"The Hawaiian planters are starving the Porto Ricans and breaking their words to them. Just prior to the Spanish-American war Harpers, Leslie's and other illustrated periodicals of our country in picturing reconcentrado camps around cities in Cuba exposed to view dying mothers clasping to barren breasts famishing babes. I thought then these pictures were from the pen driven by fevered imagination, but I have seen substantially the same thing when the emigrant ships would land Porto Rican laborers in Honolulu.—Abram S. Humphreys.

Beginning with the word "Just" the remainder of the quotation is taken from Judge Humphreys' interview in the New Orleans Times-Democrat. The sentence "The Hawaiian planters are starving the Porto Ricans and breaking their words to them" was invented in the office of the Advertiser.

Indeed there is a slander bureau at work in Hawaii and it is located in the office of the Honolulu Advertiser. That paper does not stop at any dirty or despicable work, at any lying, malicious slander in its efforts to malign those whom it hopes to injure.

The most malicious slander about the well-fed, fat, sleek and able-bodied Porto Ricans being brought to Hawaii to work on the sugar plantations ever published, appeared in the Honolulu Advertiser of Thursday, January 17th. Not even the "hysterical Examiner," of which we have heard so much, ever published such a slanderous statement about the happy, and contented and industrious Porto Ricans as was published by the Advertiser on January 17th last. The article was given especial prominence on the first page of that paper, with an initial letter, and under a double column head which read:

"Ship Captured by Porto Ricans. Ke-au-Hou Returns for Aid From Police. Immigrants are Poor Looking Lot. Four Hundred go to other Islands. Pitiful Scenes Among Them."

And then following this heading was the following slanderous story about the well-fed, contented and able-bodied Porto Ricans who came here on the steamer City of Peking on January 16th:

"Misery and filth are not strangers to the four hundred and more Porto Ricans who arrived here yesterday on the City of Peking and who were hustled in island steamers to other islands, where they are to work on the plantations.

"The truth is but told when it is said that no more wretched looking lot of human beings ever came to these Hawaiian Islands.

"Half starved and consumptive looking, dirty, beyond all description, forlorn and absolutely without anything material to cheer or comfort them in their poverty they have come to this country in the hope that they will earn enough by honest toil to provide them with sufficient to keep body and soul together.

"As they were transferred from the City of Peking yesterday to the island steamers which were to take them to their new homes, those who saw them were overcome with pity for their wretched condition. Poor little wasted infants, looking more like living skeletons than growing human beings, with little close-like hands clutching at the flat breasts of sickly mothers whose sad, pity-beseeching eyes had long ceased to know the poor comfort of useless tears, caused many hearts to ache and many heads to turn away.

"It was not a sight to look upon long. The country which these unhappy ones have left has sent forth fearful examples of the conditions existing there.

"One who went among them yesterday morning told an Advertiser reporter that it would be some time before they could be expected to do any work. They have first to be nourished; they have to regain some of the strength which has been lost by semi-starvation. It seems that they have been picked from the very poorest and most hopeless class in Porto Rico; it would be hard to imagine people in more destitute circumstances.

"About half of the Porto Ricans are women and children. They very naturally have suffered more than the men. The men are better able to stand it.

"The dirt which was so evident on the persons of the immigrants was not by any means only the stains of travel; it seemed rather to be the accumulation of days and weeks and even months of living in the most squalid circumstances. But how could they well be otherwise? Herded like cattle, each bearing a tag with his name and the name of the plantation to which they were consigned, bunched together in such a way that it was practically impossible for them to do much more than to sit up to eat and lie down to sleep."

The above was merely descriptive of the Porto Ricans as they appeared to the reporter of the Advertiser. After the Porto Ricans were taken aboard the Island steamer Ke-Au-Hou trouble arose over the food and the police were called in to settle the difficulty. Here is what the slanderous Advertiser said about the trouble on the Ke-Au-Hou and what caused it:

"A Porto Rican had captured the Ke Au Hou. This was a Porto Rican who was not quite as fat as he would like to have been. He was hungry; he wanted something to eat and there was nothing in sight for him and his fellows to consume. Being very hungry and very angry because the food for the entire lot of immigrants aboard had been dumped out on the forward hatch where the cattle are carried, when there are any cattle going on the steamer, he pulled out a knife from somewhere, just as the vessel was getting ready for sea and made for the pilot house, where he drove the native helmsman from the wheel.

"It was alleged that the steamship company had not properly provided for the immigrants and that they had had nothing to eat when they went aboard the Ke Au Hon, and that nothing was ready for them when they got aboard that vessel. To be sure there were something like four sacks of rice, so it is said,

ELABORATE PLANS FOR LABOR DAY

**Grand Round of Music
With Parade And
Recreation.**

BIGGEST EVENT IN MANY YEARS

**STIPULATION LIMITING FLOATS
TO FOURTEEN FEET
IN HEIGHT.**

**Goodly Sum Set Aside For Sporting
Carnival—Music By the Band—
Baseball Between Good Teams—
Grand Marshal Heffernan.**

The observance of Labor Day in Honolulu this year will be on a scale far in advance of anything ever attempted here before. Monday, September 2, will go down through the corridors of time as the biggest day of events ever managed by the allied trades organizations of this city.

At a meeting held yesterday evening at Mechanics' hall practically all the important business connected with the coming celebration was carried out to a successful conclusion.

Committees were found working like beavers in arranging all minor details connected with Labor Day. The line of march for the parade was decided upon. A program of sports was presented. Financial statements showed a healthy cash balance in the treasury.

The High Sheriff will be asked to supply a police detachment on guard both at the park during the athletic carnival and at the drillshed during the ball.

The sum of \$500 was appropriated for the presentation of a fine carnival of sports. The committee on games reported that \$205 had already been pledged toward this portion of the celebration. The treasurer announced that to date funds to the amount of \$1725 had been raised.

The services of the Territorial band have been secured by Acting Governor Cooper to the labor organizations for the day. The musicians will play at Kaplan park for the athletic exhibition, besides leading the parade in the morning.

The committee on floats reported progress all along the line. The parade will be one of the pleasing features of the day. A limitation of 14 feet was placed upon the height of any one float.

The parade will form at the drillshed grounds. It will then move by the following route: From Drillshed to Richards street, thence to King street, thence to Fort street, thence to Beretania street, thence to Kaplan street, thence to King street, to the Capitol grounds and disband.

By unanimous vote the sum of \$4 was awarded the secretary for his attendance upon each meeting of the committee.

Posters advertising the affair have been distributed at all principal places throughout the island. Committees of men are to be provided with special badges of var-colored silk, denoting their office.

A transportation committee consisting of Messrs. McDonald, Nolan and Sanderman was authorized to arrange for the conveyance of the committee-men along the line of march as well as to the park.

The office of grand marshal in the parade will be acceptably filled by Matthew Heffernan. The announcement was made that two companies of United States troops stationed at Camp McKinley had offered their cooperation with the allied trades organizations and would take part in the parade. Their offer was accepted.

A meeting has been called for Saturday evening at Mechanics' hall, when the committee of the whole will close several details in the arrangements respectively in their charge.

The sporting carnival to be held at Kaplan park throughout the day embraces a wide variety of athletic events. The contestants will be tempted by substantial cash prizes in every event.

Arrangements have been concluded for a match game of baseball between the Stars and the Honolulu Athletics. A trophy to the value of \$50 has been put up for the winning team. Manager Thompson of the Athletics was present at the meeting and stated that the Athletics would be ready to meet all comers provided that a trophy and not a cash prize were offered. The rules by which the Athletics are governed preclude their team playing for money.

The list of events submitted by the committee on sports comprise twenty in number as follows:

1. 120-yard Pat Men's Race, (over 200 pounds). 1st prize, \$5.00; 2nd, \$2.50.
2. 120-yard dash, (boys under 15 years). 1st prize, \$5.00; 2nd, \$2.50.
3. 75 yards dash, (girls under 15 years). 1st prize, \$5.00; 2nd, \$2.50.
4. One mile Bicycle race, (professional riding). 1st prize, \$5.00; 2nd, \$2.50.
5. One mile Bicycle race, (flat men).

(Continued on Fifth Page.)

(Continued on Eighth Page.)